

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOEING EMPLOYEES CREDIT UNION,
a Washington corporation,

Plaintiff,

V.

DAKOTA, Official Number 1214577, her engines, tackle, apparel, furniture and appurtenances, In Rem; and SCOTT MINETTE and CYNTHIA M. MINETTE, In Personam

IN ADMIRALTY

NO. 11-cv-01284-RSL

DEFAULT JUDGMENT IN REM
JUDGMENT FORECLOSING
PREFERRED MARINE MORTGAGE AND
ORDER OF SALE

THIS MATTER having come on regularly upon the motion of plaintiff, and the Court, having considered the records and files herein and the affidavit of counsel submitted with the motion, and an Order of Default having been entered, now makes the following findings:

1. Plaintiff is entitled to a Default Judgment against the defendant vessel, no answer or statement of right or interest having been filed; and

2. Plaintiff's claim under its preferred marine mortgage is superior to that of any other claimant.

NOW, THEREFORE,

DEFAULT JUDGMENT /N REM JUDGMENT
FORECLOSING PREFERRED MARINE - 1.

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the preferred marine
2 mortgage on the Dakota, Official Number 1214577, her engines, tackle, apparel, furniture
3 and equipment, in favor of Boeing Employees Credit Union, is foreclosed; and

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Boeing Employees
5 Credit Union shall have judgment against Dakota, Official Number 1214577, her engines,
6 tackle, apparel, furniture and equipment *In Rem* for \$1,352,651.98, plus interest at the rate
7 of 5.99% from August 2, 2011 through the date of entry of this judgment, plus attorneys'
8 fees and costs and administrative expenses as subsequently approved by the Court; and

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the judgment
10 granted shall bear interest at the federal rate from the date of granting of this judgment until
11 paid; and

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the U.S. Marshal
13 shall, pursuant to the rules of the United States District Court for the Western District of
14 Washington, cause the Dakota, Official Number 1214577, her engines, tackle, apparel,
15 furniture and equipment, to be condemned and sold at public auction to the highest and
16 best bidder, the sale to be held alongside the vessel on a date and at a time satisfactory
17 to the U.S. Marshal to be determined after entry of this Order; and

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that at such sale, Boeing
19 Employees Credit Union, plaintiff, is authorized to bid in any part of the judgment and
20 accrued interest here awarded without cash deposit, and that, in the event the bid of
21 Boeing Employees Credit Union, plaintiff, is the highest and best bid, the amount of such
22 bid shall be credited on the judgment here awarded; and

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the U.S. Marshal
24 shall deposit the proceeds of the sale, if any, in the Registry of the Court and the Clerk
25 shall, after having paid all costs and administrative expenses as approved by subsequent
26 Order, pay to Boeing Employees Credit Union, plaintiff, so much of the balance remaining
27 as is necessary to satisfy the judgment here awarded, and the clerk shall retain the
28 remainder of the proceeds, if any, in the Registry of the Court subject to further Order.

DEFAULT JUDGMENT *IN REM* JUDGMENT
FORECLOSING PREFERRED MARINE - 2.

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1 Dated this 14th day of November, 2011.
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Robert S. Lasnik

4 Robert S. Lasnik
5 United States District Judge
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Presented by:
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/s/ Brian C. Read_____

Brian C. Read, of

SIDERIUS, LONERGAN & MARTIN, LLP

Attorneys for Plaintiff

WSBA #34091
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Approved by:
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/s/ M Stiltner_____

for U.S. Marshal

Western District of Washington
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DEFAULT JUDGMENT /N REM JUDGMENT
FORECLOSING PREFERRED MARINE - 3.

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